

MESSAGE NO: 3346210

MESSAGE DATE: 12/12/2003

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: INI-Initiation of Review

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-891

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 12/09/2003 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: INITIATION OF ANTIDUMPING DUTY INVESTIGATIONS OF HAND TRUCKS AND CERTAIN PARTS THEREOF FROM PEOPLE'S REPUBLIC OF CHINA (A-570-891)

MESSAGE NO: 3346210

DATE: 12 12 2003

CATEGORY: ADA

TYPE: INI

REFERENCE:

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CASES: A - 570 - 891

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PERIOD COVERED: 12 09 2003 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: INITIATION OF ANTIDUMPING DUTY INVESTIGATIONS OF HAND TRUCKS AND CERTAIN PARTS THEREOF FROM PEOPLE'S REPUBLIC OF CHINA (A-570-891)

1. ON DECEMBER 9, 2003 THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS INITIATION OF HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA. (68 FR 68591)

2. THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS HAND TRUCKS MANUFACTURED FROM ANY MATERIAL, WHETHER ASSEMBLED OR UNASSEMBLED,

COMPLETE OR INCOMPLETE, SUITABLE FOR ANY USE, AND CERTAIN PARTS T

HEREOF, NAMELY THE VERTICAL FRAME, THE HANDLING AREA AND THE PROJECTING EDGES OR TOE PLATE, AND ANY COMBINATION THEREOF.

A COMPLETE OR FULLY ASSEMBLED HAND TRUCK IS A HAND-PROPELLED BARRROW CONSISTING OF A VERTICALLY DISPOSED FRAME HAVING A HANDLE OR MORE THAN ONE HANDLE AT OR NEAR THE UPPER SECTION OF THE VERTICAL FRAME; AT LEAST TWO WHEELS AT OR NEAR THE LOWER SECTION OF THE VERTICAL FRAME; AND A HORIZONTAL PROJECTING EDGE OR EDGES, OR TOE PLATE, PERPENDICULAR OR ANGLED TO THE VERTICAL FRAME, AT OR NEAR THE LOWER SECTION OF THE VERTICAL FRAME. THE PROJECTING EDGE OR EDGES, OR TOE PLATE, SLIDES UNDER A LOAD FOR PURPOSES OF LIFTING AND/OR MOVING THE LOAD.

THAT THE VERTICAL FRAME CAN BE CONVERTED FROM A VERTICAL SETTING TO A HORIZONTAL SETTING, THEN OPERATED IN THAT HORIZONTAL SETTING AS A PLATFORM, IS NOT A BASIS FOR EXCLUSION OF THE HAND TRUCK FROM THE SCOPE OF THIS PETITION. THAT THE VERTICAL FRAME, HANDLING AREA, WHEELS, PROJECTING EDGES OR OTHER PARTS OF THE HAND TRUCK CAN BE COLLAPSED OR FOLDED IS NOT A BASIS FOR EXCLUSION OF THE HAND TRUCK FROM THE SCOPE OF THE PETITION. THAT OTHER WHEELS MAY BE CONNECTED TO THE VERTICAL FRAME, HANDLING AREA, PROJECTING EDGES, OR OTHER PARTS OF THE HAND TRUCK, IN ADDITION TO THE TWO OR MORE WHEELS LOCATED AT OR NEAR THE LOWER SECTION OF THE VERTICAL FRAME, IS NOT A BASIS FOR EXCLUSION OF THE HAND TRUCK FROM THE SCOPE OF THE PETITION. FINALLY, THAT THE HAND TRUCK MAY EXHIBIT PHYSICAL CHARACTERISTICS IN ADDITION TO THE VERTICAL FRAME, THE HANDLING AREA, THE PROJECTING EDGES OR TOE PLATE, AND THE TWO WHEELS AT OR NEAR THE LOWER SECTION OF THE VERTICAL FRAME, IS NOT A BASIS FOR EXCLUSION OF THE HAND TRUCK FROM THE SCOPE OF THE PETITION.

EXAMPLES OF NAMES COMMONLY USED TO REFERENCE HAND TRUCKS ARE HAND

TRUCK, CONVERTIBLE HAND TRUCK, APPLIANCE HAND TRUCK, CYLINDER HAND TRUCK, BAG TRUCK, DOLLY, OR HAND TROLLEY. THEY ARE TYPICALLY IMPORTED UNDER HEADING 8716.80.50.10 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"), ALTHOUGH THEY MAY ALSO BE IMPORTED UNDER HEADING 8716.80.50.90. SPECIFIC PARTS OF A HAND TRUCK, NAMELY THE VERTICAL FRAME, THE HANDLING AREA AND THE PROJECTI

NG EDGES OR TOE PLATE, OR ANY COMBINATION THEREOF, ARE TYPICALLY IMPORTED UNDER HEADING 8716.90.5060 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND FOR THE PURPOSES OF U.S. CUSTOMS AND BORDER PROTECTION, THE DEPARTMENT'S WRITTEN DESCRIPTION OF THE SCOPE IS DISPOSITIVE.

EXCLUDED FROM THE SCOPE ARE SMALL TWO-WHEEL OR FOUR-WHEEL UTILITY CARTS SPECIFICALLY DESIGNED FOR CARRYING LOADS LIKE PERSONAL BAGS OR LUGGAGE IN WHICH THE FRAME IS MADE FROM TELESCOPING TUBULAR MATERIAL MEASURING LESS THAN 5/8 INCH IN DIAMETER; HAND TRUCKS THAT USE MOTORIZED OPERATIONS EITHER TO MOVE THE HAND TRUCK FROM ONE LOCATION TO THE NEXT OR TO ASSIST IN THE LIFTING OF ITEMS PLACED ON THE HAND TRUCK; VERTICAL CARRIERS DESIGNED SPECIFICALLY TO TRANSPORT GOLF BAGS; AND WHEELS AND TIRES USED IN THE MANUFACTURE OF HAND TRUCKS.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-891.

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G1O1:ART).

5. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party